



THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In Re Application of:

Fischer et al.

Examiner: Nguyen, Kimberly T.

Serial No.: 09/700,099

Art Unit: 1774

Filed: December 11, 2000

Docket No.: D078 1090

Confirmation No.: 2645

For: LOW-EMISSION FLOOR
COVERING

RESPONSE TO RESTRICTION REQUIREMENT

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APR 15 2002
TC 1700

Assistant Commissioner for Patents
Box Non-Fee Amendment
Washington, D.C. 20231

Sir:

In response to the Official Action mailed February 27, 2002, which imposed a restriction requirement upon the claims of the present application, Applicants hereby provisionally elect Group I (claims 1-15) for examination in the present application.

REMARKS

The inventions listed as Groups I and II were said by the PTO to not relate to a single general inventive concept under PCT Rule 13.1 because the claims are said to lack the same or corresponding special technical feature. Specifically, the PTO held that the special technical feature of the present invention of a polymer binder comprising at least one elastomer based on at least one polyolefin and at least one graft copolymer, does not define a contribution over the prior art as is taught by U.S. Patent No. 5,637,410. Thus, the PTO has held that a lack of unity of the invention exists under 37 C.F.R. 1.475 and MPEP § 1850.